

REMARKS

Claims 1-44 are pending.

Claims 1-8, 10, 12, 13, and 15-20 are allowed.

Claims 11, 14, and 31 are objected to as being in improper dependent form. In response to the objection of claim 14, Applicants have cancelled claim 14. In response to the objection of claims 11 and 31, Applicants have amended each of these claims to render them dependent upon their respective independent claims. Accordingly, Applicants respectfully request withdrawal of the objections to claims 11, 14, and 31.

Claims 40-44 stand rejected under 35 USC § 112, first paragraph, as lacking enablement because the separator is required to have at least an elbow, a fishbone, the fishbone having a plurality of vanes angled longitudinally downwards with respect to gravity, which is asserted as critical or essential to the practice of the invention. Applicants respectfully request withdrawal of this rejection for the reasons which follow.

Claims 40-44 are not directed to an apparatus, but rather to a process. Applicants note that the Examiner pointed to page 11, lines 20-22 in the instant specification which calls for the presence of a fishbone within an elbow having a plurality of vanes angled longitudinally downwards with respect to gravity. That disclosure is directed to a separator apparatus embodiment. Claim 40 is directed to a process. Nevertheless, Applicants have amended claim 40 to recite that the vanes are directed angularly downwards with respect to gravity. This process embodiment is supported in the specification at page 5, lines 23-28. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 USC § 112, first paragraph.

Claims 9, 29, 41, 42 and 43 stand rejected under 35 USC § 112, second paragraph as being indefinite. Specifically, claim 9 is stated to lack antecedent basis for "said strut". Claims 9 and 29 have been amended to provide for a strut. Claims 41, 42, and 43 have been amended to clarify that the elbow is in fluid communication with a polymerization reactor, and the nature of the device in fluid communication with the process vessel is a piping elbow for which antecedent basis can be found in claim 40. Withdrawal of the rejection of claims 41, 42 and 43 is respectfully requested.

Claims 21, 25, 32-34 and 38 stand rejected under 35 USC § 103(b) as being anticipated by Chalfant (851494). Claim 21 has been amended to require that the vanes are either attached to a spine or to the inner walls of an enclosed elbow. This

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feature is not disclosed or suggested by Chalfant, because the vanes as shown by Chalfant are neither attached to a spine nor to the inner walls of an enclosed chamber. To the extent that the enclosed chamber is deemed to constitute enclosure reference number 8, having an internal wall reference number 1, it is noted that the vanes are not attached to that wall. To the extent that one may deem the curved smoke stack to be an elbow, to which the vanes are attached, the curved smoke stack of Chalfant is not an enclosed elbow. The curved smoke stack of Chalfant has slits cut into the side wall for allowing the sparks to flow through in an upward movement of air and into the casing. Accordingly, in light of claim 21 as amended, withdrawal of the rejection under 35 USC § 102(b) over Chalfant is respectfully requested.

Claims 22, 23, and 26 also stand rejected under 35 USC § 103(a) as being unpatentable over Chalfant (851494) taken together with McAferty et al (5882386). Withdrawal of this rejection is requested because neither Chalfant nor McAferty et al disclose or suggest to those ordinary skill in the art an enclosed elbow containing either vanes attached to a spine within the enclosed elbow or vanes attached to the internal walls of an enclosed elbow. For this reason, Applicants respectfully request withdrawal of claims 22, 23 and 26 under 35 USC § 103(a) over Chalfant in view of McAferty et al.

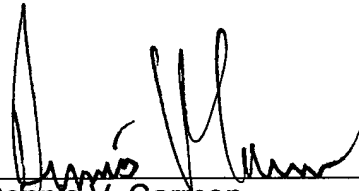
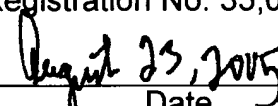
Claim 40 has been amended to recite the feature of locating the plurality longitudinally extending vanes within a pipe elbow. Neither McAferty et al, nor DE3640377 disclose this feature, nor do either suggest placing vanes within the pipe elbow. McAferty et al would suggest placing the vanes outside of a piping elbow as shown in the figures. Specifically, figure 1 shows the location of the vanes as being within a separation box located outside of a piping elbow and between two pipes. For this reason, Applicants respectfully request withdrawal of the rejection of claims 40-44.

The Examiner is invited to contact the undersigned at the number below with any questions related to the further prosecution of this application.

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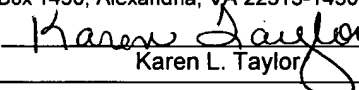
Respectfully submitted,

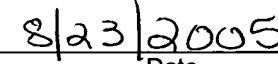
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